

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Crim. File No. 97-207 (PAM)

Plaintiff,

v.

MEMORANDUM AND ORDER

Darrell Theodore Kind, Jr.,

Defendant.

This matter is before the Court on Defendant Darrell Theodore Kind's Motion for Correction of Sentence. The Court ordered Defendant to file the Motion, but it appears that Defendant only faxed a copy of the Motion to Chambers and did not actually file the Motion with the Clerk's Office. Moreover, the Motion is moot because the Court ordered Defendant's immediate release on November 16, 2005.

Accordingly, based on all the files, records, and proceedings herein, Defendant's Motion for Correction of Sentence is **DENIED AS MOOT**.

Dated: November 29, 2005

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge